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April 24, 2013

Mr. Jeff S. Jordan  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 6729

Dear Mr. Jordan:

As counsel for Checks and Balances for Economic Growth (CBEG), we hereby respond to the Complaint filed in the above designated MUR. As demonstrated below, the Verified Complaint is erroneous in its conclusions, and therefore, can be quickly dismissed.

In the Complaint, Citizens for Responsibility and Ethics in Washington ("CREW") makes speculative assertions and unsupported allegations. CREW has cited no evidence that the advertisements available at <http://www.youtube.com/channel/UCr8VvfinlAleontsSJte72-w?feature=watch>, and also provided to the Commission on a DVD, were broadcast on television. In addition, some of CREW's allegations are based upon false hearsay contained in newspaper articles. See e.g., Exhibits C - E.

The Verified Complaint states that an individual involved with CBEG is knowledgeable about campaign finance law, and CREW goes to much trouble researching and attaching irrelevant exhibits to support its claim. The biased conclusion that CREW purports to draw from this information is that CBEG must have violated the disclosure law. The correct conclusion, however, is that CBEG was aware of the different disclosure and reporting requirements for Internet and broadcast ads and chose to create different ads appropriate for each medium.


The two advertisements submitted by CREW in support of its Complaint were run *only* on the Internet. They therefore required no disclaimer and no reporting to the FEC. See attached Declaration of Daniel Perrin.

OFFICE  
2013 APR 25 PM 12:03  
FEDERAL ELECTION COMMISSION

1747 PENNSYLVANIA AVENUE, N.W.

**UNITED STATES DEPARTMENT OF JUSTICE**

Having shown above that the advertisements which are the subject of CREW's complaint were broadcast only on the Internet, and therefore required no reporting or disclaimer statement, Checks and Balances for Economic Growth respectfully requests that the Complaint be dismissed. If you have any questions, please do not hesitate to contact us.

Very truly yours,  
  
 Alan P. Day

Heidi K. Abegg

**Heidi K. Abegg**



FEDERAL ELECTION COMMISSION  
999 E Street, NW  
Washington, DC 20463

2013 APR 25 PM 12:03  
OFFICE OF THE  
COMMISSIONER  
FEDERAL ELECTION COMMISSION

STATEMENT OF DESIGNATION OF COUNSEL  
Please use one form for each Respondent/Entity/Treasurer  
FAX (202) 219-3923

MUR # 6729

NAME OF COUNSEL: Heidi K. Abegg; Alan P. Dye

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The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

4/24/13  
Date

[Signature]  
Respondent/Agent -Signature

President/Director  
Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: Checks and Balances for Economic Growth

MAILING ADDRESS: 1747 Pennsylvania Ave, NW, Suite 1000  
(Please Print)

Washington, DC 20006

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BUSINESS (202) 785-9500

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation